Local Bds II/45

1945

File No.

Legal Department-

V3 **BRANCH**

Subject:— Rules and notifications under the Bombay Local Boards Act, 1924

2/6/1945

File No. Local Bds II/45

Gen. 194 e.

Office of the R.L.A.

Under section 144 of the Code of Criminal Procedure, 1898, a District Magistrate is competent to issue an order prohibiting the holding of weekly bazars in places which are threatened with epidemic diseases. To achieve this object, for clause 8(ii) of the draft Bombay Local Boards Prevention of Epidemic Diseases Orders, 144, the following sub-clause may be substituted, namely:-

"(ii) the District Magistrate or a Sub-Divisional Magistrate to issue an order under section 144 of the Code of Criminal Procedure Prohibiting the owner of the land where the weekly bazar is held from holding such weekly bazaar; if it is considered by the Magistrate to be advisable to extend the order, he shall submit a report to Government in good time for action under sub-section (6) of section 144 of the said Code."

Sd/- P.M.M.
19/3/45

Remembrancer of Legal Affairs.

U.R. to G.D. No. 226 16, dated the 20th March 1945.

C.G.R. 14-7

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Office of the R.L.A.

A revised draft notification is sent herewith.

2. In the absence of any specific provision in section 133 of the Bombay Local Boards Act, 1923, it is not feasible to give effect to the proposals retrospectively. The revised draft does not therefore provide for giving such effect.

Sd/- P.N.d.
Remembrancer of Legal Affairs.

U.R. to G.D. , No. 4548 dated the 18th June 1945.